

*cross ref. in 62
" " opinion*

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SEP 03 1998

November 29

CONCORD, N.H.

His Excellency, Sherman Adams,
Governor of New Hampshire
State House

Dear Governor Adams:

You have requested an opinion concerning the legality of expenditure of funds for publication necessary to effectuate certain rules and regulations deemed by the Board of Fire Control to be essential to the public safety. In my opinion the expenditure would be a permissible charge upon the emergency fund.

The Board of Fire Control is specifically authorized by statute to adopt and promulgate such reasonable rules and regulations as it shall deem necessary to accomplish the purposes of the chapter by which the Board was created. Laws of 1947, c. 251, s. 5. Effective promulgation of such rules and regulations requires that they be published in accordance with the terms of that section.

The authority of the Governor and Council to draw upon the emergency fund is, in my opinion, sufficiently broad to authorize the use of the fund to the extent necessary for accomplishing promulgation of the rules and regulations proposed by the Board.

Respectfully yours,

Maurice M. Blodgett
Deputy Attorney General

MMB:EP